

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference FNS04017WO	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/JP2005/003649	International filing date (day/month/year) 03 March 2005 (03.03.2005)	Priority date (day/month/year) 04 March 2004 (04.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NIPPON SHEET GLASS COMPANY, LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
  2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI   | Certain documents cited   |
| <input checked="" type="checkbox"/> | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 338 82 70	Date of issuance of this report 29 November 2006 (29.11.2006)  Authorized officer  <p style="text-align: center;">Yoshiko Kuwahara</p> e-mail: pti07@wipo.int
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Form PCT/IB/373 (January 2004)

## PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference:

FNS04017WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/003649

International filing date (day/month/year)

03.03.2005

Priority date (day/month/year)

04.03.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

NIPPON SHEET GLASS COMPANY, LIMITED

## 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/003649

Box No. 1

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
- a. type of material
- ☐ a sequence listing
- ☐ table(s) related to the sequence listing
- b. format of material
- ☐ in written format
- ☐ in computer readable form
- c. time of filing/furnishing
- ☐ contained in the international application as filed.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/003649

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

## Novelty (N)

Claims	2-6, 10-11	YES
Claims	1, 7-9, 12-13	NO

## Inventive step (IS)

Claims	6	YES
Claims	1-5, 7-13	NO

## Industrial applicability (IA)

Claims	1-13	YES
Claims		NO

## 2. Citations and explanations:

Document 1: JP, 2004-47450, A (Nippon Sheet Glass Co., Ltd.), 12 February, 2004 (12.02.04), Paragraphs [0017]-[0018], [0025]-[0033]

Document 2: WO, 00-24075, A1 (JOHNSON MATTHEY PLC.), 27 April, 2000 (27.04.00), claims, & JP, 2002-528868, A, & EP, 1133807, B1, & US, 2004-0208993, A1

Document 3: JP, 11-204121, A (Aisin Seiki Co., Ltd.), 30 July, 1999 (30.07.99), claims, & DE, 19901722, A1, & US, 6224994, B1

Document 4: WO, 03-041091, A1 (Sekisui Chemical Co., Ltd.), 15 May, 2003 (15.05.03), claims, & CA, 2433320, A1, & EP, 1441365, A1, & US, 2004-0062970, A1

The subject matter of claim 1 does not appear to be novel or to involve an inventive step in view of document 1 cited in the ISR. Document 1 discloses a reinforcing material for proton conductive membranes containing a nonwoven fabric mainly composed of glass fibers having the C-glass composition and a binder, in which the said glass fibers have an average fiber diameter of 0.1-20  $\mu\text{m}$  and an average fiber length of 0.5-20 mm.

The subject matters of claims 2-5 do not appear to involve an inventive step in view of documents 1-2 cited in the ISR. Document 2 describes a publicly known binder which is formed with a solution containing silica to bind fibers. Document 1 describes a reinforcing material for proton conductive membranes which contains a nonwoven fabric mainly composed of glass fibers having the C-glass composition and a binder. A person skilled in the art could have easily applied the publicly known binder described in document 2 to the binder described in document 1. A person skilled in the art could also have easily determined the suitable ranges for the amount of the binder added when being applied.

The subject matters of claims 7-9 do not appear to be novel or to involve an inventive step in view of document 1 cited in the ISR. Document 1 also discloses, with regard to a reinforcing material for proton conductive membranes which contains a nonwoven fabric mainly composed of glass fibers having the C-glass composition and a binder, the constitution in which (1) a basis weight of the said nonwoven fabric is within the range of 2 to 50  $\text{g/m}^2$ , (2) a thickness of the said nonwoven fabric is 400  $\mu\text{m}$  or less, and (3) a porosity of the said nonwoven fabric is within the range of 60 to 98 vol. %.

The subject matters of claims 10-11 do not appear to involve an inventive step in view of documents 1 and 3-4 cited in the ISR. Documents 3-4 disclose a publicly known technical matter in

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/003649

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

which the surface of a fiber which is a reinforcing material for proton conductive membranes is treated with a silane coupling agent. A person skilled in the art could have easily applied this publicly known technical matter to a reinforcing material for proton conductive membranes described in document 1. Furthermore, a person skilled in the art could also have easily determined an appropriate amount of the silane coupling agent when being applied.

The subject matters of claims 12-13 do not appear to be novel or to involve an inventive step. Document 1 also discloses a fuel cell in which a proton conductive film containing a reinforcing material for a proton conductive material and a proton conductive material are provided.

None of the documents cited in the ISR and published before the filing date which serves as a basis for the claim of priority of this international application can deny that the subject matter of claim 6 appears to be novel and to involve an inventive step.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/003649

## Box No. VI Certain documents cited

## 1. Certain published documents (Rule 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
JP 2004-319421 A [E, X]	11.11.2004	30.05.2003	27.02.2003

## 2. Non-written disclosures (Rule 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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